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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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FAY, SHARPE, FAGAN, MINNICH & MCKEE, LLP
1100 SUPERIOR AVENUE, SEVENTH FLOOR
CLEVELAND, OH 44114

EXAMINER	
KERNS, KEVIN P	

ART UNIT	PAPER NUMBER
1725	

DATE MAILED: 07/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/800,928	ENYEDY, EDWARD A.	
	Examiner	Art Unit	
	Kevin P. Kerns	1725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 June 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20 and 22-32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1 and 22-25* is/are allowed.

6)☒ Claim(s) *2-20 and 26-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *24 May 2004 and 15 June 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 2-9, 11, 13, and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over either Bellefleur (US 4,665,300) or Lee (US 6,057,526) in view of either Di Novo et al. (US 6,596,972) or Bogner et al. (US 6,750,429).

Bellefleur discloses a wire feeder for supplying consumable welding wire to a welding gun in an arc welding unit, in which the wire feeder includes a housing H defining forward, rearward, side, and base walls (2,4,8,10); a wire advancing mechanism F connected to housing H for feeding wire from a spool/reel housing 20 containing a spool 34 of welding electrode wire 38 having a wire spool support connected to the rearward wall 10 of the housing H to the welding gun through a wire guide tube 126 in the forward wall 8 of housing H; and a removable cover portion (6,16) pivotally connected to the housing H (abstract; column 1, lines 50-68; column 2, lines 1-47 and 66-68; column 3, lines 1-68; column 4, lines 1-31 and 62-68; column 5, lines 1-24; and Figures 1, 2, 4, and 5).

Also, Lee discloses a wire feed system to automatically feed filler wire to a welding gun, in which the wire feed system 10 includes a housing 22 defining forward,

rearward, side, and base walls; a wire advancing mechanism (44,46,48) connected to housing 22 for feeding wire from a spool 34 of welding electrode wire 42 having a wire spool support rod 32 connected to a lower support surface 16 (base) of the housing 22 to the welding gun through a wire guide tube 54 in the forward wall of housing 22; and a removable cover portion 24 pivotally connected by hinges 28 to the housing 22 (abstract; column 1, lines 66-67; column 2, lines 1-28; column 3, lines 11-26; column 4, lines 5-67; column 5, lines 1-22; and Figures 1-4).

Neither Bellefleur nor Lee specifically discloses a storage tray formed within (integral with) the housing adjacent an upper end of the housing.

However, Di Novo et al. disclose a welding accessory arrangement, in which the arrangement includes a tool storage tray 48 formed within (integral with) the upper portion of the housing 10, such that the tool storage tray is advantageous for conveniently holding one or more welding tools and/or accessories (abstract; column 6, lines 22-47; column 7, lines 20-23; column 8, lines 15-27; and Figures 1 and 6).

Also, Bogner et al. disclose a storage compartment for storing welding-type accessories, in which the storage compartment includes a storage tray 205 within a drawer assembly 102 that is located within (integral with) the upper portion of the housing 101, such that the storage tray within the drawer assembly is advantageous for storage of a welding torch and other welding accessories (abstract; column 1, lines 6-10; column 2, lines 15-67; column 3, lines 1-35; column 4, line 7 through column 6, line 44; and Figures 1 and 2).

It would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to modify either of the wire feeders disclosed by Bellefleur or Lee, by adding a storage tray formed within (integral with) the housing adjacent an upper end of the housing, as taught individually by Di Novo et al. and Bogner et al., in order to conveniently hold one or more welding tools and/or accessories (Di Novo et al.; column 6, lines 22-47; column 7, lines 20-23; and column 8, lines 15-27), and in order to provide storage for a welding torch and other welding accessories (Bogner et al.; column 1, lines 6-10; column 2, lines 29-67; column 3, lines 1-25; column 5, lines 48-60; and column 6, lines 19-44).

3. Claims 2, 5-11, 13, and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kensrue (US 2004/0200819) in view of either Di Novo et al. (US 6,596,972) or Bogner et al. (US 6,750,429).

Kensrue discloses a welding wire dispensing assembly that feeds welding wire to a welding gun, in which the welding wire dispensing assembly includes a housing (cabinet 12) defining forward, rearward, side, and base walls; a dividing wall (onto which a spool of welding wire is attached) extending between the forward and rearward housing walls; a wire advancing mechanism 16 (with associated wire feeder control mechanisms) connected to housing 12 for feeding wire from a spool (2,6) of welding electrode wire (Figure 1) having a wire spool support connected to the housing 12 to the welding gun through a wire guide tube 14 in the forward wall of housing 12; and a removable cover portion pivotally connected by hinges (Figure 1) to the housing 12 for

covering the wire advancing mechanism 16 (abstract; paragraphs [0043]-[0045]; and Figure 1). Kensrue does not specifically disclose a storage tray formed within (integral with) the housing adjacent an upper end of the housing.

However, Di Novo et al. disclose a welding accessory arrangement, in which the arrangement includes a tool storage tray 48 formed within (integral with) the upper portion of the housing 10, such that the tool storage tray is advantageous for conveniently holding one or more welding tools and/or accessories (abstract; column 6, lines 22-47; column 7, lines 20-23; column 8, lines 15-27; and Figures 1 and 6).

Also, Bogner et al. disclose a storage compartment for storing welding-type accessories, in which the storage compartment includes a storage tray 205 within a drawer assembly 102 that is located within (integral with) the upper portion of the housing 101, such that the storage tray within the drawer assembly is advantageous for storage of a welding torch and other welding accessories (abstract; column 1, lines 6-10; column 2, lines 15-67; column 3, lines 1-35; column 4, line 7 through column 6, line 44; and Figures 1 and 2).

It would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to modify the wire feeder disclosed by Kensrue, by adding a storage tray formed within (integral with) the housing adjacent an upper end of the housing, as taught individually by Di Novo et al. and Bogner et al., in order to conveniently hold one or more welding tools and/or accessories (Di Novo et al.; column 6, lines 22-47; column 7, lines 20-23; and column 8, lines 15-27), and in order to provide storage for a welding torch and other welding accessories (Bogner et al.; column 1,

lines 6-10; column 2, lines 29-67; column 3, lines 1-25; column 5, lines 48-60; and column 6, lines 19-44).

4. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over any one of Bellefleur (US 4,665,300), Lee (US 6,057,526), or Kensrue (US 2004/0200819), in view of either Di Novo et al. (US 6,596,972) or Bogner et al. (US 6,750,429), as applied to claim 2 above, and further in view of Grimm et al. (US 5,836,539).

Bellefleur, Lee, and Kensrue (individually taken in view of either Di Novo et al. or Bogner et al.) disclose and/or suggest the elements of independent claim 2. Neither Bellefleur, Lee, Kensrue, Di Novo et al., nor Bogner et al. specifically discloses a ball bearing inlet guide mechanism (through which wire is fed) mounted on the housing.

However, Grimm et al. disclose an inlet guide mechanism for a wire feeder, in which the inlet guide comprises a ball bearing inlet guide mechanism (race 200 holding spherical balls 210 adjacent ball bearing 220) through which wire W is fed, with the ball bearing inlet guide mechanism being advantageous for having long life (hardened stainless steel) and for preventing surface scuffing or damage to the incoming wire (abstract; column 1, lines 54-67; column 2, lines 1-67; column 3, lines 1-12 and 59-67; column 4, lines 1-67; column 5, lines 1-60; and Figures 4-8 and 11).

It would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to modify either of the wire feeders disclosed by any one of Bellefleur, Lee, or Kensrue, by adding a storage tray formed within (integral with) the housing adjacent an upper end of the housing, as taught individually by Di Novo et

al. and Bogner et al., in order to conveniently hold one or more welding tools and/or accessories (Di Novo et al.; column 6, lines 22-47; column 7, lines 20-23; and column 8, lines 15-27), and in order to provide storage for a welding torch and other welding accessories (Bogner et al.; column 1, lines 6-10; column 2, lines 29-67; column 3, lines 1-25; column 5, lines 48-60; and column 6, lines 19-44), and by further using a ball bearing inlet guide mechanism, as taught by Grimm et al., in order to obtain long life of the ball bearing and to prevent surface scuffing or damage to the incoming wire (Grimm et al.; column 1, lines 54-67; and column 2, lines 1-10 and 50-55).

5. Claims 14-20 and 26-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over any one of Bellefleur (US 4,665,300), Lee (US 6,057,526), or Kensrue (US 2004/0200819), in view of either Di Novo et al. (US 6,596,972) or Bogner et al. (US 6,750,429), as applied to claims 2 and 13 above, and further in view of Luo et al. (US 6,705,563).

Bellefleur, Lee, and Kensrue (individually taken in view of either Di Novo et al. or Bogner et al.) disclose and/or suggest the elements of independent claim 2. Neither Bellefleur, Lee, Kensrue, Di Novo et al., nor Bogner et al. specifically discloses an elevated member extending from a wire spool support tray (base tray having side walls), and a spool retention member connected to the elevated member.

However, Luo et al. disclose an open shipyard wire feeder, in which the wire feeder 10 includes a wire spool support tray (base tray having side walls, or bottom panel 32) having brackets 110 pivotally mounted to removably connected pivot pins 114

(bolts); elevated members (spool supports 90 operable to hold a welding gun 224) that integrally cooperate to hold wire spool 100 to be rotatable around a spool axis 102 (central opening of a spool of welding wire to rotate freely); a router portion that includes a plurality of openings through which wire and cable pass; and a spool retention member (cooperating latch component 104, tapered nose 106, and locking groove 108) attached to the elevated members, such that the elevated member extending from the wire spool support tray (base tray having side walls) and the spool retention member connected to the elevated member are advantageous for rotatably retaining the wire spool relative to the frame, for allowing the spool to rotate about the spool axis, and for allowing easy access without weakening the frame (abstract; column 2, line 52 through column 5, line 49; column 6, line 28 through column 9, line 53; column 10, lines 25-57; and Figures 1-6, 9, and 10).

It would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to modify either of the wire feeders disclosed by any one of Bellefleur, Lee, or Kensrue, by adding a storage tray formed within (integral with) the housing adjacent an upper end of the housing, as taught individually by Di Novo et al. and Bogner et al., in order to conveniently hold one or more welding tools and/or accessories (Di Novo et al.; column 6, lines 22-47; column 7, lines 20-23; and column 8, lines 15-27), and in order to provide storage for a welding torch and other welding accessories (Bogner et al.; column 1, lines 6-10; column 2, lines 29-67; column 3, lines 1-25; column 5, lines 48-60; and column 6, lines 19-44), and by further using the elevated member extending from the wire spool support tray (base tray having side

walls) and the spool retention member connected to the elevated member, as taught by Luo et al., in order to rotatably retain the wire spool relative to the frame, to allow the spool to rotate about the spool axis, and to allow easy access without weakening the frame (Luo et al.; abstract; column 2, lines 52-64; and column 3, lines 40-60).

6. Claims 14, 16, 17, 26, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over any one of Bellefleur (US 4,665,300), Lee (US 6,057,526), or Kensrue (US 2004/0200819), in view of either Di Novo et al. (US 6,596,972) or Bogner et al. (US 6,750,429), as applied to claims 2 and 13 above, and further in view of Rousculp et al. (US 5,060,882).

Bellefleur, Lee, and Kensrue (individually taken in view of either Di Novo et al. or Bogner et al.) disclose and/or suggest the elements of independent claim 2. Neither Bellefleur, Lee, Kensrue, Di Novo et al., nor Bogner et al. specifically discloses an elevated member extending from a wire spool support tray (base tray having side walls), and a spool retention member connected to the elevated member.

However, Rousculp et al. disclose a wire supply reel support device, in which the support device includes a wire spool support tray (base tray 66 having side walls) having detents 74 extending through openings 78; elevated members (spool support posts 70) that integrally cooperate to hold wire reel B to be rotatable around a reel axis X (central opening of a reel of welding wire to rotate freely); and a spool retention member (cooperating annular end bearing grooves 102) attached to the elevated members, such that the elevated member extending from the wire spool support tray

(base tray having side walls) and the spool retention member connected to the elevated member are advantageous for obtaining uniform rate of wire feeding, for preventing overrunning of the spindle on stoppage, and for accurate mounting of the spool on the bearing groove surfaces (abstract; column 2, line 5 through column 4, line 68; column 5, lines 1-10 and 38-68; column 6, line 1 through column 9, line 27; and Figures 1-4).

It would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to modify either of the wire feeders disclosed by any one of Bellefleur, Lee, or Kensrue, by adding a storage tray formed within (integral with) the housing adjacent an upper end of the housing, as taught individually by Di Novo et al. and Bogner et al., in order to conveniently hold one or more welding tools and/or accessories (Di Novo et al.; column 6, lines 22-47; column 7, lines 20-23; and column 8, lines 15-27), and in order to provide storage for a welding torch and other welding accessories (Bogner et al.; column 1, lines 6-10; column 2, lines 29-67; column 3, lines 1-25; column 5, lines 48-60; and column 6, lines 19-44), and by further using the elevated member extending from the wire spool support tray (base tray having side walls) and the spool retention member connected to the elevated member, as taught by Rousculp et al., in order to obtain uniform rate of wire feeding, to prevent overrunning of the spindle on stoppage, and to obtain accurate mounting of the spool on the bearing groove surfaces (Rousculp et al.; abstract; and column 3, lines 1-46).

Allowable Subject Matter

7. Claims 1 and 22-25 are allowed.

Response to Arguments

8. The examiner acknowledges the applicant's amendment and replacement drawing sheets received by the USPTO on June 15, 2006. The amendments and replacement drawing sheets overcome prior objections to the drawings, specification, and claims. In addition, the amendments to the claims overcome all prior 35 USC 102(b)/(e) rejections. The applicant has cancelled claim 21. Claims 1 and 22-25 have been indicated above as allowable subject matter. Claims 1-20 and 22-32 are currently under consideration in the application.

9. Applicant's arguments with respect to claims 2-20 and 26-32 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Kevin P. Kerns whose telephone number is (571) 272-1178. The examiner can normally be reached on Monday-Friday from 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Ryan can be reached on (571) 272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kevin P. Kerns Kevin Kerns 6/23/06
Primary Examiner
Art Unit 1725

KPK
kpk
June 23, 2006